

Remarks

Claims 28-47 are currently pending in this Application. Claims 28-47 stand rejected. It is respectfully submitted that the claims define allowable subject matter.

Claims 28-35 and 38-45 have been rejected under 35 U.S.C. § 101 as not falling within one of the four statutory categories of invention. The outstanding Office Action asserts that independent claims 28 and 38 are not tied to another statutory category because claims 28 and 38 do not recite any structural element which is tied to the method. However, claim 28 recites, among other things, “receiving a processed data stream from a processor” and “simultaneously co-displaying on a common screen a first speckle-reduced image that is generated from the first image data stream and a second speckle-reduced image that is generated from the second image data stream.” Similarly, claim 38 recites, among other things, “receiving a processed data stream from a processor” and “simultaneously co-displaying a first image and a second image on a common screen”. Accordingly, claims 28 and 38 each recite a processor from which a processed data stream is received and a screen that is used to display first and second images. Claims 28 and 38 therefore each recite a processor and a screen that are each tied to the claimed method. For at least the reasons set forth above, claims 28 and 38 are each tied to another statutory category and therefore each satisfy the requirements of Section 101. Claims 29-35 and 39-45 are submitted to satisfy the requirements of Section 101 based at least on the dependency of claims 29-35 and 39-45 from independent claims 28 and 38, respectively. Applicant therefore request that the Section 101 rejection of claims 28-35 and 38-45 be withdrawn.

Claims 28, 30, 32, 34, 35, and 37 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,674,879 (Weisman). Claim 29 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of U.S. Patent No. 5,954,653 (Hatfield). Claim 31 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of U.S. Patent No. 4,887,306 (Hwang). Claim 33 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of U.S. Patent No. 6,879,988 (Kamath). Claim 36 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of U.S. Patent No. 5,322,067 (Prater). Claims 38, 40, 42, and 44-46 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of Kamath.

Claim 39 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of Kamath and Hatfield. Claim 41 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of Kamath and Hwang. Claim 43 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of Kamath and Examiner's Official Notice. Claim 47 has been rejected under 35 U.S.C. § 103(a) as being unpatentable over Weisman in view of Kamath and Prater. Applicant traverses these rejections for at least the reasons set forth hereafter.

With respect to independent claims 28, 36, 37, 38, 46, and 47, the Examiner has asserted that simultaneously co-displaying first and second images that are speckle-reduced using the speckle reduction parameters of different first and second value sets is obvious based on Weisman. Applicant respectfully disagrees for at least the reasons set forth below.

On page 2 of the outstanding Office Action, the Examiner asserts that:

Since the claimed invention is merely a simple combination of differently speckle reduced images (light, heavy, etc.) and displaying differently filtered images on the same screen (speckle reduced, color quantized, etc.) both disclosed in Weisman. The claimed invention no is more the a predicable combination of known elements according to their established functions. Therefore the combination is obvious even if there is no explicit disclosure of displaying multiple, differently speckle reduced images on the same screen.

However, there is simply no legitimate reason that one skilled in the art would replace the speckle reduced, edge detected, and color quantization images of Weisman with multiple speckle reduced versions of the same raw image. Applying different speckle reduction parameters to the same raw image is not disclosed in Weisman as asserted in the Examiner's quotation above. Rather, Weisman merely describes that the amount of speckle for a raw image can be selected as light, heavy, or moderate. Weisman does not describe that the same raw image is separately applied with two different levels of speckle. Accordingly, applying different levels of speckle to the same raw image is not a known element within Weisman. Moreover, co-displaying differently filtered versions of the same raw image is also not a known element of Weisman. The edge detected and color quantization images of Weisman are both generated from the

speckle reduced image. Therefore, the speckle reduced, edge detected, and color quantization images of Weisman are not “multiple filtered versions of a raw image” as asserted by the Examiner. Rather, the edge detected and color quantization images each include the same speckle reduction parameters as the speckle reduced image. The edge detected and color quantized images of Weisman therefore provide no basis for co-displaying multiple speckle filtered versions of the same raw image. Because at least some of what has been asserted by the Examiner as a known element is indeed not a known element of Weisman, simultaneously co-displaying first and second images that are speckle-reduced using different values sets of speckle reduction parameters is not a predictable combination of known elements, as has been asserted. Accordingly, the Examiner has not satisfied the requirements of KSR. For at least the reasons set forth above, claims 28, 36, 37, 38, 46, and 47 are each submitted as patentable over the cited references.

Moreover, the rejections of independent claims 28, 36, 37, 38, 46, and 47 fail to set forth a prima facie case of obviousness. The outstanding Office Action concedes that the cited references do not describe at least one element of each of independent claims 28, 36, 37, 38, 46, and 47, but appears to find that such elements are obvious to one of ordinary skill in the art without providing any reference that describes such element(s). The outstanding Office Action therefore fails to set forth a prima facie obvious rejection, as is discussed below.

As quoted above, the outstanding Office Action concedes that simultaneously co-displaying multiple, differently speckle reduced images on the same screen is not disclosed by Weisman. However, the outstanding Office Action asserts that simultaneously co-displaying multiple, differently speckle reduced images on the same screen would have been obvious to one of ordinary skill in the art. The outstanding Office Action therefore admits that an element recited in each of independent claims 28, 36, 37, 38, 46, and 47 is not taught by the cited references, but has proceeded to find the claim element obvious nonetheless. Because of the manner in which the assertions are worded, Applicant are unsure if these assertions are intended to constitute Official Notice on the part of the Examiner. If the Examiner is taking Official Notice, for example, of facts in the Examiner’s personal knowledge rather than the prior art, Applicant respectfully traverses the Examiner’s assertion. Under MPEP § 2144.03, the Examiner is now obligated to cite references or other documentary evidence in support of the

Examiner's assertion. Alternatively, if the Examiner's assertion is based on facts within the personal knowledge of the Examiner, the facts must be supported by an affidavit from the Examiner. Moreover, if simultaneously co-displaying multiple, differently speckle reduced images on the same screen is obvious to one of ordinary skill in the art, such a claim element would appear in the prior art. However, even after the search of the prior art by the Examiner, no reference describing such a claim element has been provided. Consequently, Applicant respectfully submit that the assertion in the Office Action is not obvious and any finding of Official Notice is respectfully traversed. The rejections of claims 28, 36, 37, 38, 46, and 47 therefore fail to set forth a prima facie case of obviousness.

The secondary references fail to make up for the deficiencies of Weisman at least with respect to independent claims 28, 36, 37, 38, 46, and 47.

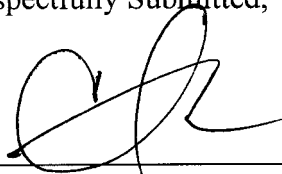
For at least the reasons set forth above, claims 28, 36, 37, 38, 46, and 47 are each submitted to be patentable over the cited references.

Turning to the dependent claims, Applicant submits that dependent 29-35 and 39-45 each contain further recitations that are not anticipated or rendered obvious by the cited references. Additionally, claims 29-35 and 39-45 depend from claims 28 and 38, respectively. Consequently, because claims 28 and 38 each define allowable subject matter, claims 29-35 and 39-45 also define allowable subject matter.

There may be additional reasons that claims 28-47 are each patentable over the cited references that are not described herein. Without waiver of such additional reasons, Applicant reserves the right to argue such additional reasons hereafter.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'CHL', written over a horizontal line.

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